

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

IN RE: )  
 )  
SCOTTY'S HOLDINGS, LLC, ) CASE NO. 18-09243-JJG-11  
 ) (Jointly Administered)  
Debtor(s) <sup>1</sup>. )

**PROPOSED AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON JANUARY 17, 2019, AT 1:30 P.M. (EASTERN TIME)**

The debtors-in-possession (the "Debtors"), by counsel, submit this proposed agenda for the hearing scheduled for January 17, 2019, at 1:30 p.m. (Eastern Time) (the "Hearing") in United States Bankruptcy Court for the Southern District of Indianapolis in the Birch Bayh Federal Building and United States Courthouse, Room 311, 46 East Ohio Street, Indianapolis, IN 46204. The Debtors anticipate that the matters before the Court for this Hearing will take approximately 2 hours.

To appear telephonically,<sup>2</sup> call 1-877-848-7030 and enter Access Code 8891756.

**MATTERS GOING FORWARD<sup>3</sup>:**

1. *Debtors' First Day Motion for Interim and Final orders (I) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Utility Services; and (II) Deeming Utility Companies Adequately Assured of Future Payment* [Doc. No. 14] filed by the Debtors;

Response Deadline: January 11, 2019.

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<sup>1</sup> The Debtors include Scotty's Holdings, LLC, Case No. 18-09243-JJG-11 (the "Lead Case"); A Pots & Pans Production, LLC, Case No. 18-09244-JJG-11; Scotty's Thr3e Wise Men Brewing Company, LLC, Case No. 18-09245-JJG-11; Scotty's Brewhouse, LLC, Case No. 18-09246-JJG-11; Scotty's Brewhouse Bloomington, LLC, Case No. 18-09248-JJG-11; Scotty's Brewhouse West Lafayette, LLC, Case No. 18-09250-JJG-11; Scotty's Indianapolis, LLC, Case No. 18-09251-JJG-11; Scotty's Brewhouse Downtown Indianapolis, LLC, Case No. 18-09252-JJG-11; Scotty's Brewhouse Mishawaka, LLC, Case No. 18-09253-JJG-11; Scotty's Brewhouse Fort Wayne, LLC, Case No. 18-09255-JJG-11; Scotty's Brewhouse Carmel, LLC, Case No. 18-09256-JJG-11; Scotty's Brewhouse Butler, LLC, Case No. 18-09257-JJG-11; and Scotty's Brewhouse Waco, LLC, Case No. 18-09258-JJG-11.

<sup>2</sup> Please note that although telephonic participation is generally allowed, parties appearing by telephone may not present evidence, examine a witness, or cross-examine a witness.

<sup>3</sup> Items 1, 2, 3, and 4 will be presented and prosecuted by Mr. I. Gabriel and Mr. C. Combest, proposed counsel for the Debtors; all other Motions will be presented by Mr. J. Hester and Mr. J. Allman, proposed counsel for the Debtors.

Responses Filed: None.

Status: Debtors will request final order granting motion.

**2. Debtors' First Day Motion to Authorize Redemption of Prepetition**

***Customer Gift Cards*** [Doc. No. 15] filed by the Debtors.

Response Deadline: January 11, 2019.

Responses Filed: None.

Status: Debtors will request final order granting motion.

**3. First Day Motion for Entry of an Order (A) Authorizing and Approving the Rejection of Certain Executory Contracts and Unexpired Leases Pursuant to 11 U.S.C. Section 365** [Doc. No. 20] filed by the Debtors.

Response Deadline: January 11, 2019.

Responses Filed: *Creditor, Jefferson Plaza LLC's, Response to Debtor's Motion for Entry of an Order Authorizing and Approving the Rejection of Certain Executory Contracts and Unexpired Leases Pursuant to 11 U.S.C. Section 365* [Doc. No. 33] filed by Jefferson Plaza LLC; and *Response to First Day Motion for Entry of an Order Authorizing and Approving the Rejection of Certain Executory Contracts and Unexpired Leases Pursuant to 11 U.S.C. Section 365* [Doc. No. 36] filed by Carmel Lofts LLC.

Status: Debtors will request final order granting motion.

**4. Debtors' Motion for Entry of an Order Approving Certain Notice, Case Management, and Administrative Procedures** [Doc No. 99] filed by the Debtors.

Response Deadline: January 15, 2019.

Responses Filed: None.

Status: Debtors will request order granting motion.

**5. *Motion for an Order (I) Authorizing the Debtors to Obtain Secured Post-Petition Financing, and (II) Granting Related Relief*** [Doc. No. 89] filed by the Debtors.

Response Deadline: January 14, 2019.

Timely Responses Filed: *United States Trustee's Objection to Debtors' Motion for an Order (I) Authorizing the Debtors to Obtain Secured Post-Petition Financing, and (II) Granting Related Relief* [Doc. No. 113] filed by the United States Trustee; *Objection to Debtors' Motion for an Order (I) Authorizing the Debtors to Obtain Secured Post-Petition Financing and (II) Granting Related Relief* [Doc. No. 117] filed by Carmel Lofts LLC; *Creditor Precedent Co-Investor, LLC's Limited Objection to Debtors' Motion for an Order (I) Authorizing the Debtors to Obtain Secured Post-Petition Financing, and (II) Granting Related Relief* [Doc. No. 118] filed by Precedent Co-Investor, LLC; *Objection to Debtors' Motion for an Order (I) Authorizing the Debtors to Obtain Secured Post-Petition Financing and (II) Granting Related Relief* [Doc. No. 119] filed by Huntington National Bank; and *Creditor, Jefferson Plaza LLC's, Objection to Debtors' Motion for an Order (I) Authorizing the Debtors to Obtain Secured Post-Petition Financing and (II) Granting Related Relief* [Doc. No. 121] filed by Jefferson Plaza LLC.

Untimely Responses Filed: *Amended Limited Objection to Debtors' Motion for an Order (I) Authorizing the Debtors to Obtain Secured Post-Petition Financing, and (II) Granting Related Relief* [Doc. No. 127] filed by Precedent Countrywide Acquisitions, LLC; *Creditor, Retail Center at*

*Precedent Park, LP's, Motion to Join Creditor, Precedent Co-Investor, LLC's Limited Objection to Debtors' Motion for an Order (I) Authorizing the Debtors to Obtain Secured Post-Petition Financing, and (II) Granting Related Relief [Doc. No. 128]; Creditor CPC Building A, LLC's Limited Objection to Debtors' Motion for an Order (I) Authorizing Debtors to Obtain Secured Post-Petition Financing and (II) Granting Related Relief [Doc. No. 129]; Creditor Retail Center at Precedent Park, LP's, Amended Motion to Join Creditor, Precedent Countrywide Acquisitions, LLC's Amended Limited Objection to Debtors' Motion for an Order (I) Authorizing the Debtors to Obtain Secured Post-Petition Financing, and (II) Granting Related Relief [Doc. No. 130]; and Limited Objection to Debtors' Motion for an Order (I) Authorizing the Debtors to Obtain Secured Post-Petition Financing, and (II) Granting Related Relief [Doc. No. 132].*

Status: The Debtors anticipate that the Court will be asked to resolve the issues raised by the objections.

**6. Debtors' First Day Motion for Entry of Interim and Final Orders Authorizing Debtor (A) to Utilize Cash Collateral Pursuant to 11 U.S.C. §363, and (B) Granting Adequate Protection to Prepetition Secured Creditors Pursuant to 11 U.S.C. §361, NUNC PRO TUNC, to Petition Date [Doc. No. 6] filed by the Debtors.**

Response Deadline: January 11, 2019.

Responses Filed: *Objection to Debtors' First Day Motion for Entry of Interim and Final Orders Authorizing Debtors (A) to Utilize Cash Collateral Pursuant to 11 U.S.C. §363 and (B) Granting Adequate Protection to*

*Prepetition Secured Creditors Pursuant to 11 U.S.C. §761 [SIC], NUNC PRO TUNC* [Doc. No. 34] filed by Huntington National Bank.

Status: The Debtors anticipate the Court will be asked to resolve issues raised by the objection.

**7. Application for Order Authorizing the Employment of Chief Restructuring Office with Limited Powers** [Doc. No. 90] filed by the Debtors.

Response Deadline: January 14, 2019.

Responses Filed: None.

Status: Debtors will request order granting motion.

Respectfully submitted,

HESTER BAKER KREBS LLC

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*Proposed Attorneys for Debtors*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 16, 2019, a copy of the foregoing *Notice of Agenda of Matters Scheduled for Hearing on January 17, 2019, 1:30 P.M. (Eastern Time)* was filed electronically. Notice of this filing will be sent to the following party/parties through the Court's Electronic Case Filing System. Party/Parties may access this filing through the Court's system.

- Daniel D. Bobilya [dan@b-blegal.com](mailto:dan@b-blegal.com)
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I further certify that on January 16, 2019, a copy of the foregoing was mailed by first-class U.S. Mail, postage prepaid, and properly addressed to the following:

n/a

/s/ John J. Allman

Jeffrey M. Hester  
John J. Allman